

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

JOSEPH CHRISTIAN,

Plaintiff,

v.

VOUGHT AIRCRAFT INDUSTRIES,
INC. and VOUGHT AIRCRAFT
SALARIES DISABILITY INCOME
PLAN,

Defendants.

JUDGMENT

No. 5:09-CV-186-FL

Decision by Court.

This action came before the Honorable Louise W. Flanagan, Chief United States District Judge, for consideration of defendants' motion for summary judgment.

IT IS ORDERED, ADJUDGED AND DECREED in accordance with the court's order entered October 15, 2010, that plaintiff's ERISA claim is barred on procedural grounds and by the settlement agreement and general release executed by the parties on April 4, 1997. Plaintiff shall have and recover nothing from defendant on this claim. Defendants are entitled to recover \$4,500.00 in liquidated damages from plaintiff, as set forth in the settlement agreement, as well as reasonable costs and attorneys' fees, on their breach of contract counterclaim under Texas law.

This Judgment Filed and Entered on October 20, 2010, and Copies To:

Ellen L. Perlioni (via CM/ECF Notice of Electronic Filing)
Kevin Scott Joyner (via CM/ECF Notice of Electronic Filing)
Joseph Christian (via U.S. Mail) 200 Southglen Drive, Cary, NC 27518

October 20, 2010

DENNIS P. IAVARONE, CLERK

/s/ Christa N. Baker
(By) Christa N. Baker, Deputy Clerk